

daries of the State, situated upon or adjacent to the navigable waters thereof, for the purpose of erecting thereon light houses, beacons, light-house keepers' dwellings, works for improving navigation, post offices, custom houses and fortifications. The act provides that the Governor of the State may cede jurisdiction to the United States over lands so acquired. It also provides for the recording of all title papers and reserves to the State the right to serve civil and criminal process. The provisions of this act have been broadened by subsequent laws and the present law on the subject is found in Article IV, Section 50 et seq. of Cahill's Consolidated Laws of New York, 1941 Supplement. Section 50 (1) grants the consent of the State to the acquisition by the United States of lands "within the boundaries of this State for the purpose of parade or maneuver grounds, aviation fields, navy yards and naval stations or for the purpose of erecting thereon light houses, beacons, light-house keepers' dwellings, hospitals, sanatoria, works for improving navigation, post offices, custom houses, fortifications, and other buildings and structures for the storage, manufacture or production of supplies, ordnance, apparatus and equipment of any kind whatsoever for use of the army or navy and any other needful buildings or structures. All title papers shall be recorded in the office of the Register, if any, or if not, in the office of the County Clerk of the County where the lands are situated." Section 51 of the Act authorizes condemnation by the United States of lands required for purposes aforesaid. Section 52 provides for cession of jurisdiction by the Governor of the State.

NEW YORK CASES: *People v. Hillman*, 246 N. Y. 467, 159 N. E. 409; *ex parte Kernan*, 272 N. Y. 560, 4 N. E. (2) 737; *Farley v. Scherno*, 208 N. Y. 269, 101 N. E. 891; *People v. Kraus*, 207 N. Y. S. 87; *Stewart and Co. v. Sadrakula*, 309 U. S. 94, 84 L. ed. 596, 60 S. Ct. 431; *McCarthy v. R. G. Packard Co.*, 94 N. Y. S. 203, 182 N. Y. 555, 75 N. E. 1130; *Kaufman v. Hopper*, 220 N. Y. 184, 115 N. E. 470; *Madden v. Arnold*, 47 N. Y. S. 757, 162 N. Y. 638, 57 N. E. 1116; *Alexander v. Movietonews, Inc.*, 273 N. Y. 511, 6 N. E. (2) 604; *United States v. City of Buffalo*, 54 Fed. (2) 471; *In Re Grant's Estate*, 144 N. Y. S. 567; *In Re Town of Highlands*, 22 N. Y. S. 137; *People v. Vendome Service*, 12 N. Y. S. (2) 183; 33 Atty. Gen. 306; *Palmer v. Barrett*, 162 U. S. 399, 16 S. Ct. 837; *Rockaway Pacific Corp. v. Stotesbury*, 255 Fed. 345; *People v. Godfrey*, 17 Johns 232; 10 Atty. Gen. 34; 16 Atty. Gen. 592; *People v. Lent*, 2 Wheeler Cr. Cs. 548; *Barrett v. Palmer*, 135 N. Y. 336, 31 N. E. 1017; *People v. Bondman*, 161 Misc. 145, 291 N. Y. S. 213; 36 Atty. Gen. 86.

NORTH CAROLINA

By act of the General Assembly of North Carolina, ratified January 24, 1907 (North Carolina Laws, 1907, Chap. 25, page 58), consent of the State was given to the acquisition by the United States by purchase, condemnation or otherwise of any land in the State required for sites for custom houses, court houses, post offices, arsenals or other public buildings whatever, or for any other purpose of the Government. Exclusive jurisdiction is expressly ceded to the United States over land so acquired reserving the right to serve civil and criminal process of the State courts. (See Section 8059, North Carolina Code of 1939.)

NORTH DAKOTA

Section 3 of an act of the Legislative Assembly of North Dakota (Laws of 1895, Chap. 81), consents to the purchase or the condemnation by the United States of land for the purpose of erecting forts, magazines, arsenals, dockyards or other needful buildings, upon the express condition that all civil process issued from the courts of the State and also criminal process that may issue under the authority of the State, against any person charged with crime, may be served and executed thereon in the same manner and by the same officers as if the purchase or condemnation had not been made. By Section 4 of the act, jurisdiction is ceded to the United States over any tract of land that may hereafter be acquired by the United States on which to establish a military post; provided that legal process, civil and criminal of the State, shall extend over such land acquired by the United States to establish a military post, in all cases in which exclusive jurisdiction is not vested in the United States, and in all cases of crimes not committed within the limits of such reservations.

NORTH DAKOTA CASE: *La Duke v. Melin*, 45 N. D. 349, 177 N. W. 673.